ARBITRATION
AND
MEDIATION CENTER

WIPO
WORLD
INTELLECTUAL PROPERTY
ORGANIZATION

ADMINISTRATIVE PANEL DECISION

Les Parfumeries Fragonard v. Trevisonne Trevisonne, COLEMAN Lynne, Kai Ma, Marina Marina
Case No. D2026-2791

1. The Parties

The Complainant is Les Parfumeries Fragonard, France, represented by MIIP – MADE IN IP, France.

The Respondents are Trevisonne Trevisonne, United States of America ("United States"), COLEMAN Lynne, Germany, Kai Ma, United States, Marina Marina, United States.

2. The Domain Names and Registrar

The disputed domain names <fragonardoutlet.com>, <fragonard-parfumfr.com>, <fragonardparfumfr.com>, <fragonardsale.com> are registered with West263 International Limited (the "Registrar").

3. Procedural History

The Complaint was filed with the WIPO Arbitration and Mediation Center (the "Center") on June 26, 2026. On June 26, 2026, the Center transmitted by email to the Registrar a request for registrar verification in connection with the disputed domain names. On June 29, 2026, the Registrar transmitted by email to the Center its verification response disclosing registrant and contact information for the disputed domain names which differed from the named Respondent (Registration Private) and contact information in the Complaint.

The Center sent an email communication to the Complainant on July 6, 2026 with the registrant and contact information of nominally multiple underlying registrants revealed by the Registrar, requesting the Complainant to either file separate complaints for the disputed domain names associated with different underlying registrants or alternatively, demonstrate that the underlying registrants are in fact the same entity and/or that all domain names are under common control. The Complainant filed an amended Complaint on July 10, 2026.

The Center verified that the Complaint together with the amended Complaint satisfied the formal requirements of the Uniform Domain Name Dispute Resolution Policy (the "Policy" or "UDRP"), the Rules for Uniform Domain Name Dispute Resolution Policy (the "Rules"), and the WIPO Supplemental Rules for Uniform Domain Name Dispute Resolution Policy (the "Supplemental Rules").

In accordance with the Rules, paragraphs 2 and 4, the Center formally notified the Respondents of the Complaint, and the proceedings commenced on July 14, 2026. In accordance with the Rules, paragraph 5, the due date for Response was August 3, 2026. The Respondents did not submit any response. Accordingly, the Center notified the Respondents' default on August 10, 2026.

The Center appointed Edoardo Fano as the sole panelist in this matter on August 14, 2026. The Panel finds that it was properly constituted. The Panel has submitted the Statement of Acceptance and Declaration of Impartiality and Independence, as required by the Center to ensure compliance with the Rules, paragraph 7.

The Panel has not received any requests from the Complainant or the Respondents regarding further submissions, waivers or extensions of deadlines, and the Panel has not found it necessary to request any further information from the Parties.

Having reviewed the communication records in the case file, the Panel finds that the Center has discharged its responsibility under the Rules, paragraph 2(a) "to employ reasonably available means calculated to achieve actual notice to [the] Respondent". Therefore, the Panel shall issue its Decision based upon the Complaint, the Policy, the Rules and the Supplemental Rules and without the benefit of a Response from the Respondents.

The language of the proceeding is English, being the language of the Registration Agreement, as per paragraph 11(a) of the Rules.

4. Factual Background

The Complainant is a French company operating in the fields of manufacture and distribution of perfumes, toiletries, cosmetics, beauty care products, home fragrances, home goods and textiles, and owning several trademark registrations for FRAGONARD, including the following:

- International Trademark Registration No. 312110 for FRAGONARD, registered on April 15, 1966;

- French Trademark Registration No. 1661663 for FRAGONARD PARFUMEUR, registered on October 18, 1991;

- French Trademark Registration No. 3320503 for FRAGONARD PARFUMEUR and design, registered on April 1, 2005.

The Complainant also operates on the Internet, with its official website being "www.fragonard.com".

The Complainant provided evidence in support of the above.

The disputed domain names were registered on the following dates: <fragonardoutlet.com> on May 29, 2026, <fragonard-parfumfr.com> on June 7, 2026, <fragonardparfumfr.com> on May 23, 2026, and <fragonardsale.com> on June 2, 2026, and are currently inactive. However, before the websites were disabled following the Complainant's request to the hosting provider and the Registrar, the disputed domain names pointed to websites which looked like the Complainant's official e-shops offering FRAGONARD products at knock-down prices.

5. Parties' Contentions

A. Complainant

The Complainant contends that it has satisfied each of the elements required under the Policy for a transfer of the disputed domain names.

Notably, the Complainant states that the disputed domain names are confusingly similar to its trademark FRAGONARD, as the disputed domain names incorporate the Complainant's trademark in its entirety.

Further to section 6.1 below, the Complainant argues that the disputed domain names are under common control and thus addresses the Respondents in the singular. The Complainant asserts that the Respondent has no rights or legitimate interests in respect of the disputed domain names since it has not been authorized by the Complainant to register the disputed domain names or to use its trademark within the disputed domain names, it is not commonly known by the disputed domain names and it is not making either a bona fide offering of goods or services or a legitimate noncommercial or fair use of the disputed domain names. The disputed domain names, before the Complainant requested the websites disabling to the hosting provider and the Registrar, pointed to websites which looked like the Complainant's official e-shops offering FRAGONARD products at knock-down prices.

The Complainant submits that the Respondent has registered the disputed domain names in bad faith, since the Complainant's trademark FRAGONARD is well known in the fields of manufacture and distribution of perfumes, toiletries, cosmetics, beauty care products, home fragrances, home goods and textiles. Therefore, the Respondent targeted the Complainant's trademark at the time of registration of the disputed domain names, and the Complainant contends that the fraudulent use of the disputed domain names with the purpose to attract, for commercial gain, Internet users by creating a likelihood of confusion with the Complainant's trademark as to an affiliation between the Respondent and the Complainant, qualifies as bad faith registration and use.

B. Respondents

The Respondents have made no reply to the Complainant's contentions and are in default. In reference to paragraphs 5(f) and 14 of the Rules, no exceptional circumstances explaining the default have been put forward or are apparent from the record.

A respondent is not obliged to participate in a proceeding under the Policy, but if it fails to do so, reasonable facts asserted by a complainant – if adequately supported by evidence – may be taken as true, and appropriate inferences, in accordance with paragraph 14(b) of the Rules, may be drawn. WIPO Overview of WIPO Panel Views on Select UDRP Questions ("WIPO Overview 3.1"), section 4.3.

6. Discussion and Findings

6.1 Consolidation of Multiple Respondents

The Complainant has requested consolidation of multiple respondents and stated that the disputed domain names belong to the same person or organization. No objection to this request was made by the Respondents.

Pursuant to the WIPO Overview 3.1, section 4.11.2, "[w]here a complaint is filed against multiple respondents, panels look at whether (i) the domain names or corresponding websites are subject to common control, and (ii) the consolidation would be fair and equitable to all parties. Procedural efficiency would also underpin panel consideration of such a consolidation scenario". The Panel may consider a range of factors to determine whether consolidation is appropriate, such as examining relevant registrant contact information, and any naming patterns in the disputed domain names, or other evidence of respondent affiliation that indicate common control of the disputed domain names.

The Complainant's consolidation request is based on the following factors:

- the registrant names appear to be fictitious or otherwise implausible, consisting of repetitive constructions;
- the postal addresses provided in the WhoIs records are false or otherwise invalid;
- all the disputed domain names have the same Registrar;
- the disputed domain names were registered a few days apart;
- all the disputed domain names shared, before their deactivation, the same content which was a similar site with the Complainant's one;
- except the disputed domain name <fragonardparfumfr.com>, the other disputed domain names have the same registered IP address;
- all the disputed domain names share the same extension ".com" as well as the same structure by reproducing the Complainant's trademark FRAGONARD in association with the terms "outlet", "sale" or "parfumfr", which are descriptive terms in relation to the fragrance industry.

The Panel finds that there is evidence that the disputed domain names are subject to common control, and that it would be procedurally efficient, fair, and equitable to all Parties to accept the Complainant's consolidation request. The Panel further notes that the Respondents did not object to the consolidation request. The Panel therefore accepts the Complainant's consolidation request. Hereinafter, the Panel will refer to the Respondents in the singular, i.e., "the Respondent".

6.2 Substantive Issues

Paragraph 4(a) of the Policy lists three elements, which the Complainant must satisfy in order to succeed:

(i) the disputed domain names are identical or confusingly similar to a trademark or service mark in which the Complainant has rights;

(ii) the Respondent has no rights or legitimate interests in respect of the disputed domain names; and

(iii) the disputed domain names have been registered and are being used in bad faith.

A. Identical or Confusingly Similar

It is well accepted that the first element functions primarily as a standing requirement. The standing (or threshold) test for confusing similarity involves a reasoned but relatively straightforward comparison between the Complainant's trademark and the disputed domain names. WIPO Overview 3.1, section 1.7.

Based on the available record, the Panel finds the Complainant has shown rights in respect of a trademark or service mark for the purposes of the Policy. WIPO Overview 3.1, section 1.2.1.

The Panel finds the mark FRAGONARD is recognizable within the disputed domain names. Accordingly, the disputed domain names are confusingly similar to the marks for the purposes of the Policy. WIPO Overview 3.1, section 1.7.

While the addition of other terms, here "outlet", "sale", "parfum" and "fr", may bear on assessment of the second and third elements, the Panel finds the addition of such terms does not prevent a finding of confusing similarity between the disputed domain names and the Complainant's trademark for the purposes of the Policy. WIPO Overview 3.1, section 1.8.

It is also well accepted that a generic Top-Level Domain ("gTLD"), in this case ".com", is typically ignored when assessing the similarity between a trademark and a domain name. WIPO Overview 3.1, section 1.11.1.

The Panel finds the first element of the Policy has been established.

B. Rights or Legitimate Interests

Paragraph 4(c) of the Policy provides a list of circumstances in which the respondent may demonstrate rights or legitimate interests in a disputed domain name.

While the overall burden of proof in UDRP proceedings is on the complainant, UDRP panels have recognized that proving a respondent lacks rights or legitimate interests in a domain name may result in the often-impossible task of "proving a negative", requiring information that is often primarily within the knowledge or control of the respondent. As such, where a complainant makes out a prima facie case that the respondent lacks rights or legitimate interests, the burden of production on this element shifts to the respondent to come forward with relevant evidence demonstrating rights or legitimate interests in the disputed domain names. If the respondent fails to come forward with such relevant evidence, the complainant is deemed to have satisfied the second element. WIPO Overview 3.1, section 2.1.

Having reviewed the present record, the Panel finds the Complainant has established a prima facie case that the Respondent lacks rights or legitimate interests in the disputed domain names. The Respondent has not rebutted the Complainant's prima facie showing and has not come forward with any relevant evidence demonstrating rights or legitimate interests in the disputed domain names such as those enumerated in the Policy or otherwise.

Before the Complainant requested the websites disabling to the hosting provider and the Registrar, the disputed domain names pointed to websites which looked like the Complainant's official e-shops offering FRAGONARD products at knock-down prices.

Panels have held that the use of a domain name for illegal activity, here impersonation/passing off, can never confer rights or legitimate interests on a respondent. WIPO Overview 3.1, section 2.13.1.

The Panel therefore concludes that the disputed domain names are not being used in connection with a bona fide offering of goods or services.

Finally, the Panel finds that the composition of the disputed domain names, incorporating the Complainant's trademark in its entirety with the mere addition of the terms here "outlet", "sale", "parfum" (the Complainant's main field of activity), and "fr" (standing for France, the Complainant's country), coupled with the use of the disputed domain names to resolve to websites in which the Respondent tried to pass itself off as the Complainant, affirms the Respondent's intention of taking unfair advantage of the likelihood of confusion between the disputed domain names and the Complainant as to the origin or affiliation of the websites.

The Panel finds the second element of the Policy has been established.

C. Registered and Used in Bad Faith

The Panel notes that for the purposes of paragraph 4(a)(iii) of the Policy, paragraph 4(b) of the Policy establishes circumstances, in particular but without limitation, that if found by the Panel to be present, shall be evidence of the registration and use of a domain name in bad faith.

Paragraph 4(b) of the Policy sets out a list of non-exhaustive circumstances that may indicate that a domain name was registered and used in bad faith, but other circumstances may be relevant in assessing whether a respondent's registration and use of a domain name is in bad faith. WIPO Overview 3.1, section 3.2.1.

In the present case, regarding the registration in bad faith of the disputed domain names, the reputation of the Complainant's trademark FRAGONARD in the fields of manufacture and distribution of perfumes, toiletries, cosmetics, beauty care products, home fragrances, home goods and textiles is clearly established and the Panel finds that the Respondent more likely than not knew of the Complainant and deliberately registered the disputed domain names due to the likelihood of confusion with the Complainant's trademark, especially because the disputed domain names pointed to websites which looked like the Complainant's official e-shops offering FRAGONARD products at knock-down prices.

Panels have held that the use of a domain name for illegal activity, here impersonation/passing off, constitutes bad faith. WIPO Overview 3.1, section 3.4.

The above suggests to the Panel that the Respondent intentionally registered and was using the disputed domain names in order both to disrupt the Complainant's business, in accordance with paragraph 4(b)(iii) of the Policy, and to attract, for commercial gain, Internet users to its websites in accordance with paragraph 4(b)(iv) of the Policy.

As regards the current use of the disputed domain names, being inactive, panels have found that the non-use of a domain name (including a blank or "coming soon" page) would not prevent a finding of bad faith under the doctrine of passive holding. WIPO Overview 3.1, section 3.3. Having reviewed the record, the Panel notes the reputation of the Complainant's trademark in the fields of manufacture and distribution of perfumes, toiletries, cosmetics, beauty care products, home fragrances, home goods and textiles, the nature of the disputed domain names, wholly incorporating the Complainant's trademarks with the mere addition of the terms here "outlet", "sale", "parfum" (the Complainant's main field of activity) and "fr" (standing for France, the Complainant's country), the previous use of the disputed domain names, and the failure of the Respondent to submit a Response or provide any explanation for its motivations in registering the disputed domain names, and finds that in the circumstances of this case, the passive holding of the disputed domain names does not prevent a finding of bad faith under the Policy.

Furthermore, the Panel considers that the nature of the disputed domain names, which incorporates the Complainant's trademark in its entirety with the mere addition of the terms here "outlet", "sale", "parfum" and "fr", further supports a finding of bad faith. WIPO Overview 3.1, section 3.2.1.

Having reviewed the record, the Panel finds the Respondent's registration and use of the disputed domain names constitutes bad faith under the Policy.

The Panel finds that the Complainant has established the third element of the Policy.

7. Decision

For the foregoing reasons, in accordance with paragraphs 4(i) of the Policy and 15 of the Rules, the Panel orders that the disputed domain names <fragonardoutlet.com>, <fragonard-parfumfr.com>, <fragonardparfumfr.com> and <fragonardsale.com> be transferred to the Complainant.

/Edoardo Fano/
Edoardo Fano
Sole Panelist
Date: August 25, 2026